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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,528	10/24/2001	John S. Petty	4015-1812	2980
24112	7590	08/12/2004		
COATS & BENNETT, PLLC P O BOX 5 RALEIGH, NC 27602			EXAMINER FERGUSON, KEITH	
			ART UNIT 2683	PAPER NUMBER 3

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/001,528

Applicant(s)

PETTY, JOHN S.

Examiner

Keith T. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-14 is/are rejected.
- 7) ☒ Claim(s) 15-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 11-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Hollenbach et al..

The claimed invention reads on Hollenbach et al. as follows:

Regarding claim 11, Hollenbach et al. discloses a communication device (fig.3) comprising a radiotelephone (cellular telephone)(i.e. attached to number 140) including one or more circuits powered from an interface node (fig. 3 number 100)(col. 5 lines 43-48), an interface node circuit (fig. 3 number 100 and col. 5 line 33 through col. 6 line 31) configured to provide a first device (PSTN) supply voltage (high voltage) to the interface node while a second device (PC or PDA) supply voltage does not exceed (low voltage) the first device supply

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voltage (fig. 3 number 100 and col. 5 line 33 through col. 6 line 31); and a modem circuit (fig. 3 number 104) coupled to the interface node (fig. 3 number 100) and configured to supply the second device supply voltage to the interface node (col. 5 line 66 through col. 6 line 31), the modem circuit including one or more logic circuits configured to exchange digital data with one or more data circuits (fig. 32 numbers 104 and 108) , the one or more logic circuits and the ones or more data circuits communicating with voltage levels that vary with voltage (high voltage or low voltage) on in the interface node (col. 5 line 66 through col. 6 line 31).

Regarding claim 12, Hollenbach et al. discloses first operating circuitry at a first operating voltage (high voltage) (col. 6 lines 22-31) and the modem circuit includes second operating circuitry operable the second device supply voltage (low voltage) (col. 6 lines 22-31), the second supply voltage differing from the first operating voltage (col. 6 lines 22-31).

Regarding claim 13, Hollenbach et al. discloses the one or more data circuits (fig. 3 number 108) are configured to convert voltage levels for communication with the one or more logic circuits to voltage levels (high voltage or low voltage) for

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communication with the first operating circuitry (col. 6 lines 14-31).

Regarding claim 14, Hollenbach et al. discloses a radiotelephone (cellular telephone) (i.e. attached to number 140) comprising: radio circuitry for radio frequency communication with a remote radio device (inherent, as taught in col. 2 lines 3-8); a controller coupled to the radio circuitry for controlling operation of the radiotelephone (inherent, as taught in col. 2 lines 3-8); a data circuit for communicating digital data with a detachable modem circuit (col. 5 lines 43-48), the data circuit being responsive to a supply voltage on an interface node (fig. 3 number 100) for providing output digital signals to the modem circuit and receiving input digital signals from the modem circuit (col. 5 line 42 through col. 6 line 31), the input digital signals and the output digital signals at voltage levels suitable for communication with the modem circuit (col. 5 line 66 through col. 6 line 31); and an interface circuit (fig. 3 number 108) coupled to the interface node (fig. 3 number 100), the interface circuit configured to provide the supply voltage to match the output digital signals to logic voltages used by logic circuits of the modem circuit (col. 6 lines 15-31).

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Allowable Subject Matter

3. Claims 15-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 15, the prior art of record fails to teach or suggest, alone or in combination wherein the interface circuit is configured to provide the supply voltage to the interface node unless the modem circuit supplies a larger voltage to the interface node.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kinney et al. (U.S. Patent 5991,864) discloses computer devices utilizing rad and modem cards. Suzuki (U.S. Patent 6,256,520) discloses a mobile communication device and power supply for connection to a modem card. Seki et al. (U.S. Patent 5,678,229) discloses a battery powered accessory for radio data communication of a data processing apparatus,

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T.

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Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson
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August 6, 2004

